

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

PENDING CLAIMS

Claims 1-8 and 10-18 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-8 and 10-18 will be pending for further consideration and examination in the application.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of claims 1-8 and 10-18 as being unpatentable over Mizuno et al. (U.S. Patent 5,876,325) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims. That is, insofar as any such rejection

applies to Applicant's presently-clarified claims, Applicant respectfully submits the following.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, regarding any descriptions and rebuttal arguments concerning Applicant's invention and/or the applied prior art as included herein, yet found to be corrective over prior descriptions and rebuttal arguments, such corrective descriptions and rebuttal arguments should be considered to supersede prior descriptions and rebuttal arguments. Still further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following remarks supplied from Applicant's foreign representative.

Difference between Applicant's invention and cited document

Office Action comments allege that the following configuration is disclosed in the cited document Mizuno.

"an operation input device having:

(A) a first movement detection unit for detecting the position and/or attitude of a first operation input unit; and

(B) a second movement detection unit connected to the first movement detection unit, for detecting the position and attitude of a second operation input unit."

That is, Office Action comments allege that the above items (A) and (B) are disclosed in the Abstract, Figure 1, Col.4 lines 36-46, Col. 8 lines 60-67, Col.9 lines 14-17 and 33-55 in the cited Mizuno document.

Traversal is appropriate. More particularly, the operation input device of the present Applicant's invention has a first movement detection unit and a second movement detection unit which separately detect different objects. Meanwhile, in Mizuno, the master manipulators 16 and 17, if taken as the "operation input device" of Applicant's claimed invention, **are not capable of separately serving as the first movement detection unit and the second movement detection unit to detect different objects (i.e., in contrast to the present Applicant's invention).**

More specifically, in Mizuno, a controller controls slave manipulators 3 and 4 according to base coordinate systems 23 and 24 specific to the master manipulators 16 and 17 (Col.9 lines 57-67). The P and Q in the task coordinate system of TCPs (Tool Center Points) of the master manipulators 16 and 17 are set to correspond to the points p and q in the base coordinate system of the TCPs of the slave manipulators 3 and 4 (Col. 10 lines 11-16, Col. 10 line 63 to Col. 11 line 5).

As known from the above, the "operation input device" of Mizuno uses only the coordinate points P and Q of the TCPs of the master manipulates 16 and 17 to control the Slave manipulators 3 and 4. Therefore, the "operation input device" in Mizuno **is not capable of separately serving as the first movement detection unit and the second movement detection unit (i.e.,**

in contrast to Applicant's present invention).

Even assuming that the "operation input device" in Mizuno had the first and second movement detection units, it would not be able to detect different objects because **only one coordinate system** of the master manipulators 16 and 17 is used in the control device. Therefore, the "operation input device" in the cited document Mizuno cannot provide the same effect of detecting different objects as the present Applicant's invention provides

Consequently, it can be said that the "operation input device" in Mizuno is not designed to detect "attitude".

In addition, the description, "The detector detects a position and/or orientation relationship between the surgical device and the guide" can be found but "a position and/or attitude" cannot be found in the Abstract of Mizuno. The word "orientation" is not a synonym for the word "attitude", for example, according to the Longman Roget's Thesaurus, and more importantly, as would be recognized by persons skilled in the art.

Moreover, the descriptions in Col. 8 lines 60-67 and Col.9 lines 14-17 only explain the slave manipulators 3 and 4, but not the "orientation input device". Accordingly, these descriptions should not be the basis for a rejection.

Furthermore, the descriptions in Col.9 lines 33-55 only explain the location where the master manipulators 16 and 17 are installed. These descriptions do not explain the first and second movement detection units. Accordingly, again, these descriptions should not also be the basis for a rejection.

Office Action comments further state that "Mizuno does not specifically disclose at least three degrees of freedom and six degrees of freedom as claimed. However, because...USPQ233."

To be more specific, the position sensor 226 described in Col.25 lines 30-47 acquires information on the position and inclination of the head mounted display (HMD) 208A with six degrees of freedom. In other words, the position sensor 226 only detects the motion of the HMD 208A to cause the controller 207 to control the observation manipulator 225 in accordance with the motion of the HMD 208A.

Meanwhile, the first and second movement detection units of Applicant's invention **not only detect movements, but also are movable with at least three and six degrees of freedom, respectively.** This movability of the units is one important difference between this invention and the cited document Mizuno.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly,

reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 1213.43376X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Paul J. Skwierawski/
Paul J. Skwierawski
Registration No. 32,173

PJS/slk
(703) 312-6600